

Washington State Department of Ecology

PBT Rule Development

Preliminary Agenda for Advisory Committee Meeting #3

Sept 29, 2004; 9:00am – 3:30pm

Wastewater Treatment Facility, Tacoma WA

8:30 am	Coffee & Tea
9:00 am	Convene Introductions Overview of Meeting Purpose & Agenda; Review of Process Guidelines Response to process & procedural questions raised at the second meeting
9:30 am	Status of Rule Development <ul style="list-style-type: none">▪ Recap of conclusions & outcomes from meeting #2▪ Overview and discussion of initial sections of the draft rule (<i>Part 1 – Introduction & General Provisions to be emailed to members later this week</i>)
10:00 am	Criteria & process for selecting chemicals for Action Plan development – Facilitated discussion of key issues <ul style="list-style-type: none">▪ Initial list of key issues & questions to be resolved in the rule▪ Experience with Mercury & PBDE▪ Other examples provided by Advisory Committee members (in any)▪ Criteria to select chemicals for a CAP▪ Process to select chemicals for a CAP <p><i>A 15 minute break will be scheduled during this time period</i></p>
12:00 pm	Public Comment
12:15 pm	Lunch
1:30 pm	Process for developing and implementing Chemical Action Plans – Facilitated discussion of key issues <ul style="list-style-type: none">▪ Initial list of key issues and questions to be resolved in the rule▪ Experience with the Mercury & PBDE action plans▪ Examples from elsewhere▪ Process for developing a CAP: Identify & discuss possible steps▪ CAP Implementation: Identify & discuss elements of implementation that may need to be addressed in the rule <p><i>A 15 minute break will be scheduled during this time period, if needed</i></p>
3:00 pm	Public Comment
3:15 pm	Next Meeting & Debrief
3:30 pm	Adjourn

PBT Rulemaking Advisory Committee Process

Members want a process that works and leads to results!

The Consultative Process

Ecology will draft the PBT rule relying on input from Advisory Committee members

- Agreement is welcome, but not essential.
- Solutions that work for all are encouraged.

Facilitator may ask for the “sense of the group” (show of hands; straw poll).
Results will not be official or recorded.

Process Guidelines

Be Respectful!

- Listen – to understand others’ points of view
- Avoid interruptions – like cell phone ringers and table chatter
- One person talks at a time

Be Productive & Effective!

- Stay on topic and on time
- Don’t talk too long – or too little

Be Consultative & Creative!

- Members need not agree, but solutions that work for all are welcome

Roles & Responsibilities

Decision making on meeting process is to be made by consensus, if readily obtained, or by Ecology, if not.

Advisory Committee: provide stakeholder input & expertise

Executive Agency Advisors: provide technical input; represent agency interests

Outside experts (if needed): provide technical expertise; experience with other processes

Public: provide input during comment period and at end of sessions, if time allows

PBT Rulemaking

Approach to selection & Chemical Action Plan development

Initial list of Key issues and questions to be resolved in the rule

Criteria to use in selecting chemicals for a CAP

- What specific criteria should be used to select chemicals for a CAP?
- What should be the relative importance of environmental, health, and economic factors in selecting chemicals for a CAP?
- Should “presence in Washington” be a criterion for CAP selection? *(if this is not already a criteria for being on the list in the first place)*

Process for Ecology to use to select chemicals for a CAP

- Should all chemicals on the list be subject to a CAP?
- How should Ecology decide the order in which chemicals are selected for a CAP?
- How should the process of selecting chemicals be communicated to the public and stakeholders?
- What involvement, if any, should stakeholders have in the selection process?
- What specific procedures, if any, should be spelled out in the rule related to the selection process?
- Should timelines be included in the rule related to the selection process?

Process for developing a CAP

- How should stakeholders be involved?
- What economic or cost analyses should be applied when developing the CAP?
- Should there be a timeframe (minimum or maximum) established in the rule proscribing the length of time it will take to formulate a CAP?

CAP Implementation

- What aspects of CAP implementation, if any, should be addressed in the rule?